

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:            )  
                                          )  
      Joseph C. Hurlburt           )  
                                          ) Art Unit 3616  
Serial No.: Prior Application    )  
                  10/085,970        )  
                                          )  
Filed: 02/28/2002                )  
                                          ) Examiner Ilan, Ruth

Title: OSCILLATING MIDDLE AXLE  
      FOR A UTILITY VEHICLE

CNH IP Dept.  
P.O. Box 1895  
M.S. 641  
New Holland, PA 17557

COMMISSIONER OF PATENTS  
Alexandria, VA 22313-1450

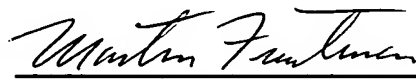
Sir:

DECLARATION

I, Martin Fruitman, Attorney for the Applicant, declare that the papers accompanying this Declaration are true copies of the prior application as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any patent issued.

Date: 10/22/03

  
\_\_\_\_\_  
Martin Fruitman  
Reg. No. 26,890  
Attorney for Applicant  
Telephone (717) 872-7234

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "**OSCILLATING MIDDLE AXLE FOR A UTILITY VEHICLE**", the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, C.F.R.1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119 (a)-(d) of the following foreign patent application(s) and have also identified below any foreign application for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:

**NONE**

I hereby claim benefit under Title 35, United States Code, Section 119(e) of any United States provisional patent application identified below: **NONE**

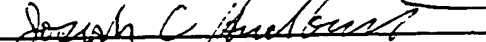
I hereby claim the benefit under 35 U.S.C. 120 of the following U. S. application and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior U. S. application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the filing date of this application: **NONE**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Larry W. Miller, Reg. No. 29,417; J. William Stader, Reg. No. 38,765; Amy L. Miller, Reg. No. 43,804; and Steven B. Kelber, Reg. No. 30,073.

Send Correspondence to: Larry W. Miller, Patent Counsel, New Holland North America, Inc.,  
P. O. Box 1895, M.S. #641, New Holland, Pennsylvania 17557-0903

Sole Inventor: Joseph C. HURLBURT Date: 1/24/02

Signature: 

Residence: 1829 Wilson Avenue

Citizenship: United States

Post Office Address: 1829 Wilson Avenue

Lancaster, PA 17603

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# **POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM**

Application Number	10/085,970
Filing Date	02/28/2002
First Named Inventor	Joseph C. Hurlburt
Title	Oscillating middle axle for a
Art Unit	3616
Examiner Name	Ilan, Ruth
Attorney Docket Number	8675-002-27

I hereby appoint:

☒ Practitioners associated with the Customer Number:

33,410

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name				
Address				
Address				
City		State		Zip
Country				
Telephone		Fax		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Name	J. William Stader		
Signature			
Date	10-10-2003	Telephone	(717) 355-3411

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Jos ph C. Hurlburt

Application No./Patent No.: 10/085,970 Filed/Issue Date: 02/28/2002

Entitled: Oscillating middle axle for a utility vehicle

New Holland North America, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012663 , Frame 0974 , or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

10/10/2003

Date

(717) 355-3411

Telephone number

J. William Stader

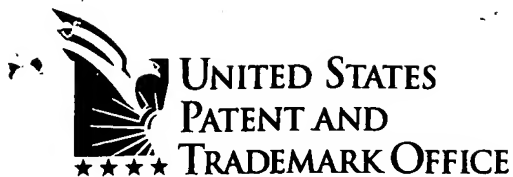
Typed or printed name

J. Will Stader

Signature

Senior Patent Counsel

Title



MAY 07, 2002

PTAS

Commissioner for Trademarks  
Arlington, VA 22202-3513  
www.uspto.gov

NEW HOLLAND NORTH AMERICA, INC.  
LARRY W. MILLER  
500 DILLER AVENUE, P.O. BOX 1895  
MAIL STATION 641  
NEW HOLLAND, PA 17557



\*102017712A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/28/2002

REEL/FRAME: 012663/0974  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HURLBURT, JOSEPH C.

DOC DATE: 01/04/2002

ASSIGNEE:

NEW HOLLAND NORTH AMERICA, INC.  
500 DILLER AVENUE, P.O. BOX 1895  
M.S. #641  
NEW HOLLAND, PENNSYLVANIA 17557

SERIAL NUMBER: 10085970  
PATENT NUMBER:

FILING DATE: 02/28/2002  
ISSUE DATE:

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RECEIVED

MAY 13 2002

U.S. PATENT & TRADEMARK OFFICE

03-15-2002

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

P

102017712

To the Honorable Commissioner of Patents and Trademarks. I enclose the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Joseph C. Hurlburt

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: January 4, 2002

## 2. Name and address of receiving party(ies):

Name: New Holland North America, Inc

Internal Address: M.S. #641

Street Address: 500 Diller Avenue

P.O. Box 1895

City: New Holland State: PA Zip: 17557

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: January 4, 2002

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached?

☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Larry W. Miller

Internal Address:

New Holland North America, Inc.

Mail Station 641

Street Address: 500 Diller Avenue

P.O. Box 1895

City: New Holland State: PA Zip: 17557

## 6. Total number of applications and patents involved:

1

7. Total Fee (37 CFR 3.41) . . . . . \$ 40.00

☐ Enclosed☒ Authorized for charge to deposit account

## 8. Deposit Account number:

14-0780

03/14/2002 AAHMD1 00000261 140780 10085970

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## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Larry W. Miller

Name of Person Signing

Signature

2/28/2002

Date

Total number of pages comprising cover sheet: 1

**ASSIGNMENT**

In consideration of one dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, I, **Joseph C. HURLBURT of Lancaster, Pennsylvania** ; hereby sell, assign and transfer to **New Holland North America, Inc.**, a corporation duly organized and existing under and by virtue of the laws of the state of Delaware, having a place of business at **500 Diller Avenue, P.O. Box 1895, New Holland, Pennsylvania 17557**, its successors, and assigns, the entire right, title and interest, domestic and foreign, in the improvements in

**OSCILLATING MIDDLE AXLE FOR A UTILITY VEHICLE**

invented by me, the application for United States patent describing said invention and being executed concurrently herewith, and any and all applications for patent and patents granted therefor in any and all countries, including all divisions, reissues, continuations, and extensions therefor, and of all right of priority resulting from the filing of said U.S. application, and authorize and request that any and all patents for said improvements be issued to said **New Holland North America, Inc.**, or its successors, assigns and covenant that I have full right so to do, and agree that I will communicate to said corporation or its representatives all facts known to me respecting said improvements, whenever requested, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, and make all rightful oaths and generally do everything to aid said corporation, its successors, assigns, and nominees to obtain and enforce proper patent protection for said improvements in all countries.

Date: January 4, 2002

Joseph C. Hurlburt  
Joseph C. HURLBURT

**CERTIFICATE OF WITNESS**

I acknowledge that I was personally present and did see the above-named inventor, who is personally known to me, duly execute the above assignment on the date set forth.

Larry W. Miller

Printed Name of Witness

Larry W. Miller

Signature of Witness